

**FEBRUARY 2019 MINUTES**  
**TABLE OF CONTENTS**

<b>ITEM</b>	<b>DESCRIPTION</b>	<b>PAGE</b>
1	DECLARATION OF OPENING & ANNOUNCEMENT OF VISITORS	2
2	RECORD OF ATTENDANCE/APOLOGIES & APPROVED LEAVE OF ABSENCE	2
	2.1 Members on Leave of Absence	
	2.2 Apologies	
3	DECLARATION OF: <ul style="list-style-type: none"> <li>• FINANCIAL INTEREST</li> <li>• MEMBERS IMPARTIALITY INTEREST</li> <li>• PROXIMITY INTEREST</li> </ul>	
4	PUBLIC QUESTION TIME	2
5	APPLICATION FOR MEMBERS FOR LEAVE OF ABSENCE	3
6	CONFIRMATION AND RECEIVING OF MINUTES/BUSINESS ARISING	
	6.1 Ordinary Meeting of Council held Wednesday 19 December 2018	3
7	ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION	3
8	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS	3
9	OFFICERS REPORTS <ul style="list-style-type: none"> <li>9.1.1 Monthly Financial Reports to 31 January 2019</li> <li>9.1.2 Schedule of Accounts Paid to 31 December 2018</li> <li>9.1.3 Schedule of Accounts Paid to 31 January 2019</li> <li>9.1.4 Status of Council Decisions – December 2018</li> </ul>	3 5 6 7
10	ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	8
11	NEW BUSINESS OF AN URGENT NATURE AGREED TO BY RESOLUTION OF COUNCIL <ul style="list-style-type: none"> <li>11.1.1 Local Government Review WALGA Submission</li> </ul>	8 9
12.	MATTERS BEHIND CLOSED DOORS <ul style="list-style-type: none"> <li>12.1.1 CEO Performance review – Performance Criteria</li> </ul>	11 11
13.	MEETING CLOSED	14

**1. DECLARATION OF OPENING & ANNOUNCEMENT OF VISITORS**

The Chair Person, Shire President Cr Alan Smith, declared the meeting opened at 5.37pm.

**2. RECORD OF ATTENDANCE/APOLOGIES & APPROVED LEAVE OF ABSENCE****Members**

Cr AL Smith	Shire President
Cr GM Collins	Deputy Shire President
Cr SR Crosby	Member
Cr JN Germain	Member
Cr BC Bamess	Member
Cr KV Johnston	Member
Cr KR Stephens	Member

**Staff**

RJ Miller	Chief Executive Officer
M Bamess	Deputy Chief Executive Officer
GD Mathewson	Acting Works Manager

**Members of the Public**

Nil

**Apologies**

Cr TD Borgward	Member
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**Members on Leave of Absence**

Nil

**3. DECLARATION OF INTERESTS:**

- **Financial Interest:**  
Rick Miller – 12.1.1 Confidential – CEO KPI
- **Members Impartiality Interest**  
Nil
- **Proximity Interest:**  
Nil

**4. PUBLIC QUESTION TIME:**

Nil

**5. APPLICATION FOR MEMBERS FOR LEAVE OF ABSENCE:**

<b>1819/001 - COUNCIL RESOLUTION (Officer Recommendation)</b>
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**MOVED Cr GM Collins / Cr KR Stephens**

**That Leave of Absence be granted to Cr KN Johnston for the 20 March 2019 Council Meeting.**

**CARRIED 6/0  
By Simple Majority**

## 6. CONFIRMATION and RECEIVING OF MINUTES/BUSINESS ARISING:

### 6.1 Ordinary Meeting of Council held on Wednesday 20 December, 2018

That the minutes of the Ordinary Meeting of the Shire of Kent held on Wednesday 20 December, 2018 in the Shire of Kent Council Chambers be confirmed as a true and accurate record of proceedings and duly signed.

<b>1819/002 - COUNCIL RESOLUTION (Officer Recommendation)</b>
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**MOVED Cr KV Johnston / Cr KR Stephens**

**That the minutes of the Ordinary Meeting of the Shire of Kent held on Wednesday 20 December, 2018 in the Shire of Kent Council Chambers be confirmed as a true and accurate record of proceedings and duly signed.**

**CARRIED 7/0  
By Simple Majority**

## 7. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION:

Nil

## 8. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS:

Nil

## 9. OFFICERS REPORTS:

### 9.1.1 MONTHLY FINANCIAL REPORTS TO 31 JANUARY 2019

<p><b>PROPOSED MEETING DATE:</b> <b>PROPONENT:</b> <b>LOCATION:</b> <b>AUTHOR:</b> <b>REPORTING OFFICER:</b> <b>FILE NO:</b> <b>ASSESSMENT NO:</b> <b>ATTACHMENTS:</b></p>	<p>13 February 2019 N/A N/A Michelle Bamess –Deputy Chief Executive Officer Michelle Bamess –Deputy Chief Executive Officer FIN30.20 N/A  <ul style="list-style-type: none"> <li>• Monthly Financial Reports to 31 December 2018 (including Statement of Financial Activities, Notes 3-11 and Budget Variances to 31December 2018)</li> <li>• Monthly Financial Reports to 31 January 2019 (including Statement of Financial Activities, Notes 3-11 and Budget Variances to 31 January 2019)</li> </ul> </p>
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#### **PURPOSE**

In accordance with the Local Government (Financial Management) Regulations 1996, to follow is the presentation of the Monthly Financial Reports to Council.

#### **BACKGROUND**

Monthly Financial Reports are to be presented to Council and are to be received by Council resolution.

#### **COMMENT**

The Monthly Financial Reports as presented indicate that Council continues to be in a sound financial position.

#### **STATUTORY IMPLICATIONS**

Local Government Act 1995 – Section 6.4

Local Government (Financial Management) Regulations 1996 – Clause 34 and 35

### **POLICY IMPLICATIONS**

Policy 4.1 Accounting Policies

Objective: To provide the basis for Council's accounting concepts and reporting guidelines.  
To maintain accounting reporting procedures which comply with Statutory Requirements and to demonstrate Council's financial position.

### **FINANCIAL IMPLICATIONS**

Ongoing management of Council funds

### **STRATEGIC IMPLICATIONS**

#### **Community Strategic Plan 2017-2027**

**Civic Leadership Objective - Continually enhance the Shire's organisational capacity to service the needs our community**

Outcome 4.1 An efficient and effective organisation

- 4.1.1 Continually improve operational efficiencies and provide effective services.
- 4.1.2 Continue to enhance communication and transparency.

### **RISK IMPLICATIONS**

N/A

### **VOTING REQUIREMENT**

Simple Majority

### **RECOMMENDATION**

**That Council receive the following Monthly Financial Reports as presented:**

- **Monthly Financial Reports to 31 December 2018**
- **Monthly Financial Reports to 31 January 2019**

<b>1819/003 - COUNCIL RESOLUTION (Officer Recommendation)</b>
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**MOVED Cr JN Germain / Cr KR Stephens**

**That the following Monthly Financial Reports be received by Council:**

- **Monthly Financial Reports to 31 December 2018**
- **Monthly Financial Reports to 31 January 2019**

**CARRIED 7/0  
By Simple Majority**

**9.1.2 SCHEDULE OF ACCOUNTS PAID TO 31 DECEMBER 2018**

<b>PROPOSED MEETING DATE:</b>	13 February 2019
<b>PROPONENT:</b>	N/A
<b>LOCATION:</b>	N/A
<b>AUTHOR:</b>	Michelle Bamess –Deputy Chief Executive Officer
<b>REPORTING OFFICER:</b>	Michelle Bamess –Deputy Chief Executive Officer
<b>FILE NO:</b>	N/A
<b>ASSESSMENT NO:</b>	N/A
<b>ATTACHMENTS:</b>	Schedule of Accounts submitted 13 February 2019

**PURPOSE**

Council endorsement of payment to Creditors under CEO Delegated Authority 2.3.

**BACKGROUND**

Details payments made to creditors since last Council Meeting.

**COMMENT**

The Schedule of Accounts Reports as presented, indicate that Council continues to be in a sound financial position.

**STATUTORY IMPLICATIONS**

Local Government Act 1995 – Section 6.4

Local Government (Financial Management) Regulations 1996 – Part 2 – Regulation 11 & 12

**POLICY IMPLICATIONS**

Policy 4.1 Accounting Policies

Objective: To provide the basis for Council's accounting concepts and reporting guidelines.

To maintain accounting reporting procedures which comply with Statutory Requirements and to demonstrate Council's financial position.

**FINANCIAL IMPLICATIONS**

Ongoing management of Council funds

**STRATEGIC IMPLICATIONS****Community Strategic Plan 2017-2027**

**Civic Leadership Objective - Continually enhance the Shire's organisational capacity to service the needs our community**

Outcome 4.1 An efficient and effective organisation

4.1.1 Continually improve operational efficiencies and provide effective services.

4.1.2 Continue to enhance communication and transparency.

**RISK IMPLICATIONS**

N/A

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION**

**That Council endorse the payments from the Municipal Fund and Trust Fund:**

<b>Municipal Fund</b>	<b>\$882,803.49</b>
<b>Trust Fund</b>	<b>\$5,168.00</b>
<b>Direct Debits</b>	<b>\$117,300.16</b>
<b>TOTAL</b>	<b>\$1,005,271.65</b>

<b>1819/004 - COUNCIL RESOLUTION (Officer Recommendation)</b>
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**MOVED Cr KV Johnston / Cr JN Germain**

**That vouchers from the Municipal Fund and Trust Fund as detailed, be approved by Council:**

<b>Municipal Fund</b>	<b>\$882,803.49</b>
<b>Trust Fund</b>	<b>\$5,168.00</b>
<b>Direct Debits</b>	<b>\$117,300.16</b>
<b>TOTAL</b>	<b>\$1,005,271.65</b>

**CARRIED 7/0  
By Simple Majority**

### **9.1.3 SCHEDULE OF ACCOUNTS PAID TO 31 JANUARY 2019**

<b>PROPOSED MEETING DATE:</b>	13 February 2019
<b>PROPONENT:</b>	N/A
<b>LOCATION:</b>	N/A
<b>AUTHOR:</b>	Michelle Bamess –Deputy Chief Executive Officer
<b>REPORTING OFFICER:</b>	Michelle Bamess –Deputy Chief Executive Officer
<b>FILE NO:</b>	N/A
<b>ASSESSMENT NO:</b>	N/A
<b>ATTACHMENTS:</b>	Schedule of Accounts submitted 13 February 2019

#### **PURPOSE**

Council endorsement of payment to Creditors under CEO Delegated Authority 2.3.

#### **BACKGROUND**

Details payments made to creditors since last Council Meeting.

#### **COMMENT**

The Schedule of Accounts Reports as presented, indicate that Council continues to be in a sound financial position.

#### **STATUTORY IMPLICATIONS**

Local Government Act 1995 – Section 6.4

Local Government (Financial Management) Regulations 1996 – Part 2 – Regulation 11 & 12

#### **POLICY IMPLICATIONS**

Policy 4.1 Accounting Policies

Objective: To provide the basis for Council's accounting concepts and reporting guidelines.

To maintain accounting reporting procedures which comply with Statutory Requirements and to demonstrate Council's financial position.

#### **FINANCIAL IMPLICATIONS**

Ongoing management of Council funds

#### **STRATEGIC IMPLICATIONS**

### Community Strategic Plan 2017-2027

**Civic Leadership Objective - Continually enhance the Shire's organisational capacity to service the needs our community**

Outcome 4.1 An efficient and effective organisation

4.1.1 Continually improve operational efficiencies and provide effective services.

4.1.2 Continue to enhance communication and transparency.

#### **RISK IMPLICATIONS**

N/A

#### **VOTING REQUIREMENT**

Simple Majority

#### **RECOMMENDATION**

**That Council endorse the payments from the Municipal Fund and Trust Fund:**

Municipal Fund	\$342,924.82
Trust Fund	\$408.00
Direct Debits	\$116,739.31
<b>TOTAL</b>	<b>\$460,072.13</b>

<b>1819/005 - COUNCIL RESOLUTION (Officer Recommendation)</b>
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**MOVED Cr SR Crosby/ Cr BC Bamess**

**That vouchers from the Municipal Fund and Trust Fund as detailed, be approved by Council:**

Municipal Fund	\$342,924.82
Trust Fund	\$408.00
Direct Debits	\$116,739.31
<b>TOTAL</b>	<b>\$460,072.13</b>

**CARRIED 7/0  
By Simple Majority**

#### **9.1.4 STATUS OF COUNCIL DECISIONS – DECEMBER 2018**

<b>PROPOSED MEETING DATE:</b> <b>PROPONENT:</b> <b>LOCATION:</b> <b>SUBJECT:</b> <b>AUTHOR:</b> <b>REPORTING OFFICER:</b> <b>FILE NO:</b> <b>ASSESSMENT NO:</b> <b>ATTACHMENTS:</b>	7 February 2019 N/A N/A Status of Council Decisions – November 2018 Rick Miller – Chief Executive Officer Rick Miller – Chief Executive Officer 041.1.1 N/A Council Resolution Register
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#### **PURPOSE**

The purpose of this agenda item is to inform the Council of the action taken in relation to Council resolutions.

#### **BACKGROUND**

Council have previously been informed of the progress and completion of previous Council resolutions and decisions via the monthly Information Bulletin.

**STATUTORY IMPLICATIONS**

Nil

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**COMMUNITY STRATEGIC PLAN 2017 – 2027**

Civic Leadership Objective - Outcomes

4.1 *An efficient and effective organisation*

4.1.1 *Continually improve operational efficiencies and provide effective services.*

4.1.2 *Continue to enhance communication and transparency*

**COMMENT**

The status of Council decisions is included as an attachment.

By providing this report to Council as an agenda item on a monthly basis will keep Council informed on the progress of decisions made.

It is requested that action items be reviewed at each Council meeting.

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION**

**That Council receive the Council Resolutions Register for the month of December 2018.**

<b>1819/006 - COUNCIL RESOLUTION</b>
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**MOVED Cr SR Crosby / Cr JN Germain**

**That the Council:**

**Receive the Council Resolutions Register for the month of December 2018.**

**CARRIED 7/0  
By Simple Majority**

**10. ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**11. NEW BUSINESS OF AN URGENT NATURE AGREED TO BY RESOLUTION OF COUNCIL**

<b>1819/007 - COUNCIL RESOLUTION</b>
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**MOVED Cr SR Crosby / Cr JN Germain**

**That the council:**



Consider the new business of urgent nature as presented.

CARRIED 7/0

### 11.1.1 LATE ITEM – LOCAL GOVERNMENT ACT REVIEW WALGA SUBMISSION

<b>PROPOSED MEETING DATE:</b>	13 February 2019
<b>PROPONENT:</b>	N/A
<b>LOCATION:</b>	N/A
<b>AUTHOR:</b>	Rick Miller – Chief Executive Officer
<b>REPORTING OFFICER:</b>	Rick Miller – Chief Executive Officer
<b>FILE NO:</b>	210.5
<b>ASSESSMENT NO:</b>	N/A
<b>ATTACHMENTS:</b>	WALGA Advocacy Positions LG Act Review

#### **PURPOSE**

For Council to consider submitting a response to WALGA on the Department of Local Governments consultation paper.

#### **BACKGROUND**

In 2017 the McGowan Government announced a review of the Local Government Act 1995 (the Act). This is the first significant reform of the legislation in more than two decades.

Due to the scope of works, the review has been undertaken in two phases.

Phase 1 commenced with both a community and Local Government consultation process in 2017. WALGA conducted a comprehensive consultation process with member Local Governments, resulting in the adoption of several policy positions on Phase 1. The drafting of a bill covering these areas is now underway and if this bill is successful it will result in amending The Act in the short term.

Phase 2 commenced in August 2018. This stage considers nine key topic areas, as outlined below, based on the themes Agile, Smart and Inclusive. Local Governments and community members are currently invited to have their say on the reform areas.

<b>Agile</b>	<b>Smart</b>	<b>Inclusive</b>
Beneficial enterprises	Administrative efficiencies – local laws	Community engagement – IPR
Financial Management	Council meetings	Complaints Management
Rates, fees and charge	Interventions	Elections

The Department of Local Government survey submissions are open until 31 March 2019. However, WALGA has identified that the Local Government sector was keen to have its own agenda, and not just respond to the State Governments positions. Based on this, WALGA has requested Local Governments to provide feedback on the nine key topic areas by 22 February 2019. This will allow WALGA to formulate a sector response which will be presented at the WALGA Zone meeting and State Council meeting on 6 March 2019.

It should be noted that this is the first time significant reform of the Act has been undertaken in more than 20 years. It is really important for the Shire of Kent to put forward its position in relation to this reform.

**COMMENT**

On 19 October 2018, Shire of Kent staff and Shire president attended a forum whereby representatives from the Department of Local Government facilitated a discussion on the nine key topic areas.

There have been other events where DLG have presented and encouraged participation in the review.

The Shire CEO has also discussed in Council briefing sessions and handed out an information package to all Councillors.

I have reviewed the statements from WALGA and advised that there will be nil adverse impact on the shire and that the positions will generally uphold the general competence principal currently embodied in the Local Government Act, provide for a flexible, principles based legislative framework and promote a size and scale compliance regime.

Council also has the option of providing further comment directly to the DLG prior to the 31 March 2019.

**STATUTORY IMPLICATIONS**

Local Government Act (1995)

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS****Community Strategic Plan 2017-2027**

**Civic Leadership Objective - Continually enhance the Shire's organisational capacity to service the needs our community**

Outcome 4.1 An efficient and effective organisation

4.1.1 Continually improve operational efficiencies and provide effective services.

4.1.2 Continue to enhance communication and transparency.

**RISK IMPLICATIONS**

N/A

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION**

That Council:

1. Endorse the WALGA advocacy positions and position statements as attached and with respect to the Local Government Act review;
2. Direct the CEO to advise WALGA of support for the advocacy positions as stated so that a Sector response can be provided.

<b>1819/008 - COUNCIL RESOLUTION</b>
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**MOVED Cr GC Collins / Cr SR Crosby**

**That the council:**

1. **Endorse the WALGA advocacy positions and position statements as attached and with respect to the Local Government Act review;**
2. **Direct the CEO to advise WALGA of support for the advocacy positions as stated so that a Sector response can be provided.**

**CARRIED 7/0**

**12. MATTERS BEHIND CLOSED DOORS**

That the meeting be closed to the public in accordance with section 5.23 Local Government Act 1995, 5.5.23(2))

- Matters affecting employee(s)
- Personal affairs of any person(s), including financial and/or commercial Contracts
- Commercial Confidentiality
- Legal advice/matters
- Public safety/security matters where public knowledge may be prejudicial.

**1819/009 - COUNCIL RESOLUTION (Officer Recommendation)**

**MOVED Cr SR Crosby / Cr KV Johnston**

**That Council closes the meeting to the public to consider matters of a confidential nature behind closed doors.**

**CARRIED 7/0  
By Simple Majority**

**M Bamess and G Mathewson left the room at 5.54pm**

**1819/011 - COUNCIL RESOLUTION (Officer Recommendation)**

**MOVED Cr GC Collins / Cr KR Stephens**

**That Council:**

**Re-open the meeting to the general public**

**CARRIED 7/0**

**13. MEETING CLOSED**

There being no further business the Shire President Cr Alan Smith, closed the meeting at 6.14pm.